

## AUTHORIZING THE LEASE OR SALE OF PUBLIC LANDS FOR USE IN CONNECTION WITH THE MANUFACTURE OF ARMS, AMMUNI- TION, AND IMPLEMENTS OF WAR, ETC.

MAY 25, 1942.—Ordered to be printed

Mr. McCARRAN, from the Committee on Public Lands and Surveys,  
submitted the following

### REPORT

[To accompany S. 1818]

The Senate Committee on Public Lands and Surveys, to whom was referred the bill (S. 1818) to authorize the lease or sale of public lands for use in connection with the manufacture of arms, ammunition, and implements of war, etc., having considered the same report favorably thereon with the following amendments and with the recommendation that the bill, as amended, do pass.

Page 2, line 4, strike out the words "leases made and"; line 7, strike out the colon and insert a period; strike out lines 8 to 13, inclusive; line 17, after the word "State" strike out the period and insert a comma and add the following words "except that tax liens on the leasehold interest or improvements shall be subordinate to any liens held by any agency or instrumentality of the United States."; line 19, strike out the words "such" and "and," and insert the words "any" and "or", respectively; line 21, strike out the word "upon" and insert in lieu thereof the words "six months after"; line 24, strike out the word "Order" and insert the word "Proclamation".

The report of the Interior Department on this proposed measure is hereinbelow set forth in full and made a part of this report.

THE SECRETARY OF THE INTERIOR,  
Washington, September 15, 1941.

Hon. ALVA B. ADAMS,  
Chairman, Committee on Public Lands and Surveys,  
United States Senate.

MY DEAR SENATOR ADAMS: I have received your letter of August 7, requesting a report on S. 1818, Seventy-seventh Congress, first session, entitled "A bill to authorize the lease or sale of public lands for use in connection with the manufacture of arms, ammunition, and implements of war, and for other purposes."

If the bill is amended as indicated below, I shall interpose no objection to its enactment.

The first proviso to section 1 of the bill, in lines 4 to 7, inclusive, on page 2, provides that all leases made and patents issued under the provisions of the act shall contain a reservation to the United States of all mineral deposits in the lands, together with the right to prospect for, mine, and remove the same. As a lease could only allow the lessee the use of the surface of the lands involved for one of the purposes stated in the bill, the provision respecting mineral reservations in leases is unnecessary. In view of the foregoing it is suggested that the words "leases made and" be stricken from the bill in line 4 on page 2.

The second proviso to section 1 of the bill in lines 8 to 13, inclusive, on page 2, provides that the laws of the United States relating to prospecting, locating, developing, mining, entering, leasing, or patenting the mineral resources of public lands "shall apply to lands leased or sold under the provisions of this act in the same manner and to the same extent as if the lands so leased or sold continued to be public lands." If the mineral resources could be mined and removed as freely as if the lands were public lands, the patentee or lessee would not have any security in the use of the lands for the purpose of manufacturing of arms, ammunition, and implements of war. The prospecting, locating, developing, mining, entering, leasing, or patenting of the mineral resources of the lands involved are provided for under the first proviso to section 1 of the bill. In view thereof, it is suggested that lines 8 to 13, inclusive, on page 2, be stricken from the bill.

If the foregoing suggestions are adopted, the bill then will be in harmony with H. R. 5394, Seventy-seventh Congress.

Page 2, in line 24, the word "Order" should be omitted and the word "Proclamation" substituted therefor.

As the bill appears to relate to the national defense program, the word "usable" in line 3 on page 2, is understood to mean that any equipment, supplies, materials, or machinery produced on the land will be needed and utilized in the manufacture of arms, ammunition, and implements of war.

The Bureau of the Budget has informed me that there is no objection to the presentation of this report to your committee.

Sincerely yours,

JOHN J. DUNFREY,  
*Acting Secretary of the Interior.*